

**REMARKS/ARGUMENTS**

Request for Continued Examination:

The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

5

1. Rejection of claims 1-5 under 35 U.S.C. 103(a):

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ledbetter (US 2003/0025673) in view of Tsai (US 2003/0151594).

10     **Response:**

Claim 1 is amended by particularly pointing out the feature of the present invention. The newly added portion in the amended claim 1 is supported by the paragraph [0026] and FIG.3. No new matter is introduced.

15

The applicants would like to point out how claim 1 is patentable over Ledbetter (US 2003/0025673) in view of Tsai (US 2003/0151594). Ledbetter teaches an input device including an assembly for moving an image in multiple directions on a display screen. The scroll wheel assembly utilizes a tilting sensor to determine the angular displacement of the carriage relative to the assembly carrier. Signals indicative when the carriage has been tilted by the predetermined angle are transmitted from switches to a circuit board on the mouse or other computer input device. An exemplary structure achieving this tilt sensing capacity includes laterally extending contact arms and contact switches respective disposed at the ends of the tilting path of the arms. However, Ledbetter does not teach a step unit for causing a step-wise vibration feeling so that the operator can control and position the wheel easily. The laterally extending contact arms and the tilting sensors of the scroll wheel assembly of the cited prior art occupy inner space of the scroll wheel assembly mostly so that there is no space for disposing a step mechanism in the scroll wheel assembly of the cited

20

25

30

5 prior art. In addition, Tsai teaches the mouse including the friction member toward the inner wall of the wheel. The friction member has two opposing tongues which releasably engage two of the grooves so that rotation of the wheel can be sensed by a digit of the user. However, Tsai does not teach a swing-sensing module for providing other types of multiple-dimensional control. Furthermore, the scroll wheel is not installed on a pedestal capable of swinging left and right, and the step mechanism disclosed in Tsai (US 2003/0151594) can not be applied to the input device of Ledbetter (US 2003/0025673).

10 The applicant then would like to direct the Examiner's attention to the three basic criteria for establishing a prima facie case of obviousness, as has long been adopted in common law. To establish a prima facie case of obviousness, "[f]irst, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to  
15 modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (MPEP 2142 citing in re Vaeck, 947 F.2d 488 (Fed. Cir. 1991)). The applicant believes that the current rejection fails to constitute a prima facie case of obviousness because it  
20 fails to meet the first criterion, i.e., there is no suggestion or motivation to combine the prior art references.

25 The applicant first would like to address the inappropriateness of combining the two prior art references as suggested by the Examiner. Particularly, the applicant asserts that there simply does not exist any suggestion or motivation to combine the provided references. Ledbetter (US 2003/0025673) fails in having teaching, suggestion, or motivation to imply a step unit for causing a step-wise vibration feeling so that the operator can control and position the wheel of the input device easily. Tsai (US 2003/0151594) either fails in having teaching,  
30 suggestion, or motivation to imply a swing-sensing module for providing other

types of multiple-dimensional control capable of utilizing in the mouse. In fact, when the disclosed prior art references are viewed as a whole, they conversely teach against such a combination because it would be detrimental in producing desired effects of each respective device. The step mechanism disclosed in Fig.1 of Tsai (US 2003/0151594) is disposed outside the wheel. The spring unit disclosed in Tsai has first and second coil parts pivoted to a respective one of the pivot ears and sleeved around the shaft. The spring unit is fixed by the pivot ears and the mounting arm. The structure of the coil parts, the pivot ears, the shaft, and the mounting arm enlarges the spring unit resulting in occupying more space outside the wheel. If the step mechanism disclosed in Fig.1 of Tsai (US 2003/0151594) is to combine with the scroll wheel assembly of Ledbetter (US 2003/0025673), the step mechanism disposed outside the wheel will interfere tilting motion of the scroll wheel assembly so that the step mechanism and the scroll wheel assembly can not be put together simultaneously. Besides, the opposing first and second coil parts disposed outside the wheel. If the step mechanism disclosed in Fig.7 of Tsai is to combine with the scroll wheel assembly of Ledbetter, the opposing first and second coil parts of the step mechanism disposed outside the wheel will interfere tilting motion of the scroll wheel assembly so that the step mechanism and the scroll wheel assembly can not be put together simultaneously.

In conclusion, the step unit of the present application includes step unit components and an elastic body (such as a spring). The elastic body is placed between the step unit components. The step unit 38B component is the step body of the step unit and is fixed to the pedestal and the step unit component 38A is the push pad elastically moving back and forth relative to the step body by the elasticity of the elastic body. The step unit of the present application can be disposed inside the wheel module completely so that the step unit of the present application can not interfere the swing of the pedestal of the wheel module. The step unit for causing a step-wise vibration feeling and the swing-sensing module

5 for providing multiple-dimensional control can be put together simultaneously of the present application. From the aforementioned reason, the applicant believes that amended claim 1 of the present application shows difference since there is a major structural difference between the present application and the prior art reference. Reconsideration of claim 1 is politely requested.

10 The applicant submits that claim 1 is patentable over the cited prior art. Claims 2-5 are dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claims 2-5 is respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

15 Sincerely yours,



Date: 07/22/2008

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506, Merrifield, VA 22116, U.S.A.

20 Voice Mail: 302-729-1562

Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

Note: Please leave a message in my voice mail if you need to talk to me. (The time in  
25 D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)